

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-6, 8-13, 17, 18, 20, 21 and 26-31 are pending in this application. Claims 1, 10, 13, 17, 18, 20 and 21 are amended, Claims 7, 24-26, 29 and 22-25 are cancelled and Claims 26-31 are added by the present response all without introducing new matter.

In the outstanding Office Action, the IDS filed on October 28, 2001 was objected to as failing to comply with 37 C.F.R. §§ 1.97 and 1.98; Claims 13-16, 19 and 22 were rejected under 35 U.S.C. §112, second paragraph, as indefinite; Claims 23-25 were rejected under 35 U.S.C. §101 as directed to non statutory subject matter; Claims 1-4, 7-10, 17, 18, 20, 21 and 23-25 were rejected under 35 U.S.C. §102(b) as anticipated by Foley (U.S. Pat. No. 5,249,120); Claims 5, 6, and 11 were rejected under 35 U.S.C. §103(a) as unpatentable over Foley; Claim 12 were rejected under 35 U.S.C. §103(a) as unpatentable over Foley in view of Shear (U.S. Pat. No. 4,827,508); Claim 13 were rejected under 35 U.S.C. §103(a) as unpatentable over Foley in view of Dworkin (U.S. Pat. No. 4,992,940); and Claim 15 was rejected under 35 U.S.C. §103(a) as unpatentable over Dworkin;

In response to the objection to the information disclosure statement filed on October 28, 2001 referencing Japanese Patent Document 7-282142 (filed 10/27/95) as failing to include an English translation of the reference, Applicants respectfully traverse the objection. Filed with the reference on October 28, 2001, was a statement of relevancy. M.P.E.P. 609.04(a)(III)(Ed. 8, rev. 8/05) clearly states that a statement of relevancy is sufficient in place of a full English translation of the reference. As a statement of relevancy was provided when the information disclosure statement was filed on October 28, 2001, Applicants respectfully request the objection to the IDS be withdrawn.

In response to the rejection of Claims 13-16, 19 and 22 under 35 U.S.C. §112, second paragraph, as indefinite, Applicants have amended the claims. Specifically, in Claim 13 “working body” has been replaced with --provider--. Additionally, Claims 14-16, 19 and 22 have been cancelled, and therefore the rejection to those claims is moot. Therefore, in light of the amendment, Applicants respectfully request that the rejection of Claim 13 under 35 U.S.C. §112, second paragraph, be withdrawn.

In regard to the rejection of Claims 23-25 under 35 U.S.C. §101 as directed to non-statutory subject matter, Claims 23-25 have been cancelled and thus the rejection is moot.

Addressing now the rejection of Claims 1-4, 7-10, 17, 18, 20, 21 and 23-25 under 35 U.S.C. §102(b) as anticipated by Foley, that rejection is respectfully traversed.

Applicants incorporated the subject matter of cancelled Claim 7 into independent Claims 1, 10, 17, 18, 20 and 21. Additionally, Claims 26-31 have been added corresponding to the independent claims noted above and including limitations corresponding to the scopes of Claims 3 and 6 and the present specification on page 27, lines 7-13, page 28, lines 21-23 and page 29, lines 21-24.

Amended Claim 1 recites, in part,

said computer:

receives data for designating a region engaging in manufacturing the component;

receives data for designating a material of a component to be manufactured, and manufacturing steps to be applied to the material;

retrieves a cost associated with the designated material, and costs associated with the designated manufacturing steps from the cost information;

determines a result of estimation of the cost of the component based on costs retrieved from the cost information associated with the designated region; and

generates data representing a result of estimation of a cost of the designated component based on each of the retrieved costs.

Claims 10, 17, 18, 20, 21, and 26-31 recite similar features.

Foley describes an automated manufacturing cost estimating method and system in which variables stored in a user-modifiable database are manipulated in cost equations to calculate total cost of present dollars over a given period. Further, Foley describes that variables that affect the cost of the final part are stored in several databases.¹

However, Foley does not describe estimating the cost of the component based on costs retrieved from the cost information associated with *a designated region*.

In other words, Foley describes generic variables that affect the cost of the final part are stored in a database; however, Foley does not describe or suggest cost information associated with a designated region, as is recited in Claim 1.

Accordingly, as Foley does not describe all of the features recited in Claims 1, Applicants respectfully submit that Claim 1 and similarly Claims 10, 17, 18, 20, 21, and 26-31 patentably distinguish over Foley.

Moreover, with respect to the further dependent claims in light of the above discussion, Applicant respectfully submits that those claims also distinguish over the applied art, particularly as none of these further cited teachings to Shear and Dworkin are believed to overcome the above-noted deficiencies of Foley.

Further, with respect to dependent Claim 8, the outstanding Office Action states that col. 17, lines 29-35 of Foley describes estimating the cost of the component by considering predetermined standard manufacturing steps. However, col. 17, lines 29-35 of Foley merely describe listing various components of a total part cost. Foley does not describe estimating the cost of the component by considering predetermined standard manufacturing steps.

Therefore, Applicants respectfully submit that dependent Claim 8 also patentably distinguishes over Foley.

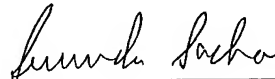
¹ Foley, col. 6, lines 18-20 and 64-66.

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Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance. A Notice of Allowance for Claims 1-6, 8-13, 17, 18, 20, 21 and 26-31 is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Gregory J. Maier
Attorney of Record
Registration No. 25,599

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

Surinder Sachar
Registration No. 34,423

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